

October 15, 2021

ORDER

VIA ECF

Hon. Edward S. Kiel, U.S.M.J.
U.S. Post Office & Courthouse Building
2 Federal Square
Newark, NJ 07102

Re: Elliot Beneroff v. WestRock Company
Case No: 2:21-cv-3592

Dear Judge Kiel:

In response to the Court's July 12, 2021 Order (Dkt #21), Plaintiff Elliot Beneroff ("Plaintiff") and Defendant WestRock Company ("Defendant") submit this joint status letter to update the Court in advance of the October 21, 2021 Status Conference.

On April 5, 2021, the Court issued a Scheduling Order setting the close of fact discovery for November 15, 2021. (See DKT. 16). The parties thereafter exchanged written discovery demands and responses. The parties have also discussed the parameters of potential ESI discovery. However, the parties are currently focused on resolution and hope to avoid this expense. Specifically, the parties have had and continue to have numerous ongoing settlement discussions. These discussions have been somewhat protracted due to damage Plaintiff's home suffered during Hurricane Ida as well as the volume and density of the discovery. Specifically, because this case involves a claim for unpaid commissions, the parties are analyzing hundreds, if not thousands, of line items to best evaluate the claims. However, the parties remain diligently involved in good faith settlement discussions.

Accordingly, we respectfully request a 120-day extension of the current discovery deadline of November 15, 2021 to **March 15, 2022**. This is the parties first request to extend discovery and we believe this will be sufficient time to complete finish written discovery and complete depositions. The requested new discovery deadline is set forth in the proposed Order attached hereto.

Thank you, Your Honor, for your time and attention to this matter.

Respectfully submitted,

JAVERBAUM, WURGRAFT

NUKK-FREEMAN & CERRA, P.C.

By: /s/ Gary E. Roth
Gary E. Roth, Esq.

By: /s/ Jesse Grasty
Jesse Grasty, Esq.

NUKK-FREEMAN & CERRA, PC
EMPLOYMENT ATTORNEYS

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505 Morris Avenue
Springfield, New Jersey 07081
Tel.: (973)-379-4200
Attorneys for Plaintiff

26 Main Street, Suite 202
Chatham, New Jersey 07928
Tel.: (973) 665-9100
Attorneys for Defendant

JG/es

Cc: All counsel of record (*via ECF*)

**The highlighted request (ECF
No. 23) is So Ordered.**

/s/ Edward S. Kiel
Edward S. Kiel, U.S.M.J.
Date: October 18, 2021